

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Revisions to Broadcast Auxiliary Service)	ET Docket No. 01-75
Rules in Part 74 and Conforming Technical)	
Rules for Broadcast Auxiliary Service, Cable)	
Television Relay Service and Fixed Services in)	
Parts 74, 78 and 101 of the Commission's)	
Rules)	
)	RM-9418
Telecommunications Industry Association,)	
Petition for Rule Making Regarding Digital)	
Modulation for the Television Broadcast)	
Auxiliary Service)	
)	RM-9856
Alliance of Motion Picture and Television)	
Producers, Petition for Rule Making)	
Regarding Low-Power Video Assist Devices)	
in Portions of the UHF and VHF Television)	
Bands)	

Reply Comments of Comsearch

Comsearch hereby respectfully submits the following reply comments in the above captioned proceeding.

Frequency Coordination

Several commenters supported coordination of fixed BAS links using the Part 101 procedures¹ while some favored preserving the system of local coordinators for itinerant

¹ Microwave Radio Communications p. 3, APTS/PBS p. 5, MSTV/NAB pp. 7-8.

ENG operations.² SBE similarly preferred the local coordinator system for itinerant operations, but proposed an alternative to Part 101 for fixed point-to-point operations.³

We agree that the standard 30 day coordination period of Part 101 is obviously unacceptable for ENG operations. While expedited and verbal coordinations are allowed under Part 101, for itinerant BAS operations the Part 101 notification and response procedures would have to be accomplished at a record pace. Therefore, Comsearch does not oppose preservation of the local coordinator system for itinerant operations although we believe that some of this usage could potentially be “pre-coordinated” by negotiating agreements with the affected parties. Such agreements are not precluded under Part 101. Whatever coordination procedures are adopted for itinerant operations, these procedures must both take into account the needs of all eligible users and protect fixed links coordinated with more formal procedures - potentially those of §101.103(d).

The alternative coordination procedure for fixed point-to-point links that SBE proposed in its comments amounts to filing a loosely defined “Frequency Coordination Exhibit” with the application(s). While a requirement to file such an exhibit might raise the awareness among applicants of the need to coordinate proposals, we believe that this procedure will neither close the coordination loophole that SBE acknowledges exists nor adequately protect other affected users from interference. If applicants are to be given “considerable discretion” as to the content of the exhibit, the FCC and licensees with nearby links will have no basis upon which to either accept or reject the validity of the

² Microwave Radio Communications p. 3, MSTV/NAB pp. 7-8.

results. The FCC would have to accept applications that had any kind of an exhibit filed. To protect their systems from interference, users would still have to monitor the FCC filings, review the filed coordination exhibits, and perform further analysis on proposals with coordination exhibits that are judged suspect or inadequate. Despite the additional expense to either do the coordination or to hire an outside coordination firm, operators would, we believe, find the certain interference protection of the more formal Part 101 procedures preferable to such an uncertain procedure as the one SBE has proposed.

Conditional Authorization

In its comments, SBE supports Conditional Authorization after application filing, so long as SBE's proposed "evidence of frequency coordination" certification is included in the application. We disagree that a unilateral coordination analysis such as the one SBE describes can be a precursor to operation under Conditional Authorization. The licensees and applicants that are affected by a proposal *must* have an opportunity to review and, if necessary, oppose the proposal prior to operation of the facilities. In the event that a bilateral coordination process involving notification and response is adopted, this opportunity can occur during the coordination phase, and no unanticipated interference should occur if the facilities are operated during the pendency of the FCC applications. On the other hand, if a unilateral coordination process involving only analysis and inclusion of a statement or certification with the application is adopted, the opportunity for review by the potentially affected parties only occurs when the application(s) are placed on public notice. In this case, operation should not be allowed to commence until

³ SBE at 21-28.

completion of the public notice period and issuance of the license(s). Otherwise there is a risk that other facilities in the area will not be properly protected.

Respectfully Submitted,

COMSEARCH
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A handwritten signature in black ink, appearing to read "William W. Perkins", written in a cursive style.

Prepared by: _____
William W. Perkins
Principal Engineer

Date: August 7, 2001